

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Michael OWENS,

Plaintiff,

12 Civ. 8325 (ALC) (SN)

- against -

ORDER ADOPTING REPORT
AND RECOMMENDATION

Warden Louis RIVERA, et al.,

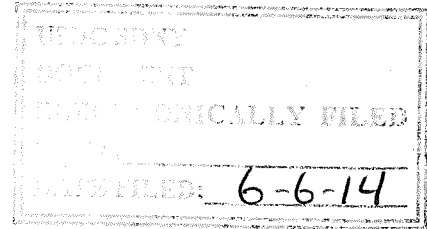
Defendants.

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ANDREW L. CARTER, JR., United States District Judge:

This matter was referred to Magistrate Judge Sarah Netburn pursuant to Orders dated December 6, 2012 and April 4, 2013. Magistrate Judge Netburn issued a Report and Recommendation ("R&R") on January 21, 2014, recommending this action, filed by pro se Plaintiff Michael Owens, be discontinued for failure to prosecute pursuant to Fed. R. Civ. P. 41(b).

Despite notification of the right to object to the R&R, no objections were filed. When no objection is made, the Court subjects the R&R to a clear error review. Arthur v. Goord, No. 06 Civ. 326 (DLC), 2008 WL 482866, at *3 (S.D.N.Y. Feb. 21, 2008) ("To accept those portions of the report to which no timely objection has been made, 'a district court need only satisfy itself that there is no clear error on the face of the record.'" (quoting Figueroa v. Riverbay Corp., No. 06 Civ. 5364

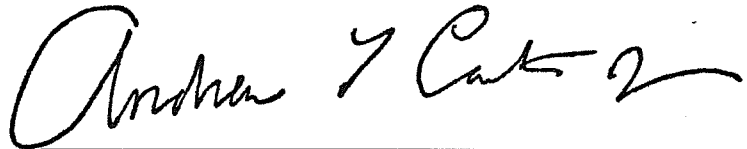


(PAC), 2006 WL 3804581, at *1 (S.D.N.Y. Dec. 22, 2006))). The Court's review finds no clear error.

In light of the foregoing, the Court **ADOPTS** Magistrate Judge Netburn's R&R. The Court hereby **DISMISSES** this action **WITH PREJUDICE** under Fed. R. Civ. P. 41(b). The Clerk of Court is respectfully directed to close this case from the Court's active docket.

SO ORDERED.

Dated: New York, New York
June 6, 2014

A handwritten signature in black ink, reading "Andrew L. Carter, Jr.", written in a cursive style.

Andrew L. Carter, Jr.
United States District Judge